

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

KATHY LYONS,

Petitioner,

vs.

No. CIV 00-899 JC/LFG

WILLIAM SNODGRASS,

Respondent.

**MAGISTRATE JUDGE'S FINDINGS
AND RECOMMENDED DISPOSITION¹**

Findings

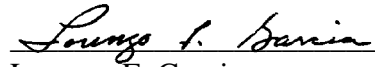
1. In this proceeding for a writ of habeas corpus pursuant to 28 U.S.C. § 2241, Petitioner Kathy Lyons ("Lyons") alleged that New Mexico corrections authorities were not properly crediting her with time served in Arizona following her New Mexico sentence and were not properly applying good time credits to her sentence.

2. It appearing from the record that Lyons procedurally defaulted her claim in state court, this Court entered an Order to Show Cause [Doc. 10], directing Lyons to file with the Court, by October 30, 2000, a demonstration of "cause and prejudice" to excuse her procedural default, and ordering that if she did not do so, her Petition would be dismissed. Lyons has not responded to the Order to Show Cause, and the deadline for doing so has expired.

¹ Within ten (10) days after a party is served with a copy of these findings and recommendations, that party may, pursuant to 28 U.S.C. § 636(b)(1), file written objections to such findings and recommendations. A party must file any objections with the Clerk of the U.S. District Court within the ten-day period allowed if that party wants to have appellate review of the findings and recommendations. If no objections are filed, no appellate review will be allowed.

Recommended Disposition

That Lyons's Petition be dismissed with prejudice.

A handwritten signature in cursive script, reading "Lorenzo F. Garcia", is written over a horizontal line.

Lorenzo F. Garcia
United States Magistrate Judge